

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DONALD BERDEAUX and CHRISTINE
GRABLIS, Individually and on Behalf of All
Others Similarly Situated,

Plaintiffs,

-against-

ONECOIN LTD.; RUJA IGNATOVA;
KONSTANTIN IGNATOV; SEBASTIAN
GREENWOOD; MARK SCOTT; IRINA
ANDREEVA DILINSKA; DAVID PIKE; and
NICOLE J. HUESMANN,

Defendants.

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STIPULATION

19 CV 4074 (VEC)

STIPULATION OF VOLUNTARY DISMISSAL

WHEREAS, Lead Plaintiff Donald Berdeaux and Plaintiff Christine Grablis (together, “Plaintiffs”) and defendant Konstantin Ignatov are interested in resolving the issues alleged against Defendant Ignatov in the Amended Complaint in this action, and have negotiated in good faith for that purpose; and

WHEREAS, Plaintiffs and defendant Konstantin Ignatov (together, the “Parties”) wish to discontinue between them without prejudice the claims asserted against Defendant Ignatov while not impeding in any way Plaintiffs’ further prosecution of their claims against the other defendants in this action;

IT IS HEREBY STIPULATED AND AGREED by and between the Parties and/or their respective counsel as follows:


1. Plaintiffs hereby agree that the above-captioned action is dismissed and discontinued without prejudice solely as to defendant Konstantin Ignatov pursuant to Rule 41(a) of the Federal Rules of Civil Procedure;
2. This Stipulation of Voluntary Dismissal is not intended to, and shall not have, any effect on any claims asserted by any other parties to this litigation, or the defenses to those claims;
3. Konstantin Ignatov will make himself available to Plaintiffs’ counsel as expediently as possible to be debriefed and will truthfully and fully provide information and documentation to the best of his abilities concerning the subject

matter of Plaintiffs' claims, OneCoin, and the remaining defendants in this case;


4. The United States Attorney's Office for the Southern District of New York shall be notified in advance by Plaintiffs' counsel of any such debriefing and have the right and ability to participate and attend;
5. If called upon, Mr. Ignatov will agree to testify on behalf of Plaintiffs at a trial or other court proceeding without invoking his Fifth Amendment protections as they apply to facts already acknowledged in United States v. Scott, et al., 17 CR 630 (SDNY) (ER) upon the conclusion of his cooperation with the U.S. Attorney's Office for the Southern District of New York, or upon their approval, whichever occurs first;
6. The Parties agree to toll any applicable statute of limitations and/or statute of repose during the pendency of this arrangement;
7. If Konstantin Ignatov makes good faith efforts to provide complete and accurate information and documentation to the best of his abilities and otherwise complies with the terms set forth herein, this stipulation of discontinuance shall be construed as a dismissal with prejudice in full satisfaction of Plaintiffs' claims, which are the subject of the Amended Complaint, upon judgment, settlement, or other resolution of the above-captioned action;
8. This Stipulation and any Order entered thereon shall have no precedential value or effect whatsoever and shall not be admissible in any other action or proceeding as evidence or for any other purpose except in an action or proceeding to enforce this Stipulation;
9. If Plaintiffs determine in good faith that Konstantin Ignatov has in any way failed to fulfill his obligations under this Stipulation, Plaintiffs shall so notify his counsel in writing; and the rights of the Parties shall automatically revert to the positions in which they were situated in this action, respectively, immediately prior to the filing of this Stipulation.
10. This Stipulation embodies the entire agreement of the Parties. No compensation or payment to Plaintiffs or Plaintiffs' counsel, other than the cooperation provided for herein, has been discussed, negotiated, or agreed;

11. Because this dismissal is being effectuated before Konstantin Ignatov has filed an Answer to the currently-pending Amended Complaint, and because no class has yet been certified in this action, dismissal is effective upon the filing of this stipulation; and no notice is required pursuant to Federal Rules of Civil Procedure 41(a) and

23(e).



DONALD J. ENRIGHT
LEVI & KORINSKY, LLP
1101 30th Street NW
Washington, D.C. 20007
Ph: (202) 524-4290
Fx: (212) 363-7171
denright@zlk.com
Attorney for Lead Plaintiff Donald Berdeaux
and Plaintiff Christine Grablis



JEFFREY LICHTMAN, ESQ.
LAW OFFICES OF JEFFREY LICHTMAN
11 EAST 44th STREET, SUITE 501
NEW YORK, NEW YORK 10017
Ph: (212) 581-1001
Fx: (212) 581-4999
jhl@jeffreylightman.com
Attorney for Konstantin Ignatov

SO ORDERED:

HON. VALERIE E. CAPRONI, U.S.D.J.